

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED
SEP 19 2022
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOANNA TELLEZ,

Defendant.

Cause No.: DR22-CR-00563-AM

STIPULATION OF FACTS

The United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant U.S. Attorney, the Defendant, and Defense counsel hereby stipulate that if this matter were to proceed to trial, the United States would establish by legal and competent evidence the following facts beyond a reasonable doubt:

On February 25, 2022, a United States Border Patrol agent (BPA) was assigned to roving patrol on Farm to Market Road (FM) 2644, near Carrizo Springs, Texas, which is within the Western District of Texas. A blue sedan drove past BPA's position, heading west towards Eagle Pass, Texas. About fifteen minutes later, the sedan again drove by BPA's position, heading towards Carrizo Springs. In BPA's experience, this behavior is commonly exhibited by smugglers, who go towards the border with Mexico to pick up a load and then make a U-turn to drive back into the interior of the United States. Additionally, FM 2644 is commonly used by smugglers because it circumvents nearby Border Patrol checkpoints. BPA followed the sedan and ran a license plate check, which revealed it was registered out of Kingwood, Texas. Kingwood is approximately a five-hour drive from Carrizo Springs. BPA also noted that the sedan swerved in and out of lanes multiple times.

Based on all these observations, BPA lawfully initiated a stop to conduct an immigration inspection. BPA activated the patrol vehicle's lights and sirens to indicate that the sedan should pull over. The sedan's driver apparently complied by stopping on the side of the road, but when BPA exited the patrol vehicle, the driver sped off. BPA notified the Border Patrol station and Dimmit County Sheriff's Office (DCSO) of the situation and initiated pursuit. The sedan's driver sped off through the city of Carrizo Springs, driving above the speed limit, and making multiple turns in residential neighborhoods an attempt to evade BPA. At one point, the sedan's trunk opened, and a man dressed in camouflage leapt out and absconded. The sedan then turned onto Highway 83, heading south at speeds reaching 80 mph. DCSO deputies joined the pursuit, and eventually the sedan's driver gave up and stopped on the side of the highway.

BPA immediately arrested the sedan's driver, Defendant Joanna Tellez. No one else was in the sedan, and BPA transported Defendant to the station for further investigation and processing. Several hours later, DCSO apprehended a suspected illegal alien whose camouflage clothing matched that of the man seen absconding from the sedan's trunk. This man was also transported to the Border Patrol station.

At the station, BPA determined that the man in camouflage clothing was a citizen and national of Mexico without any legal authority or documentation to have entered or remain in the United States. BPA then advised Defendant and the illegal alien of their constitutional and statutory rights and warnings (*Miranda*) in a language they understood, which they knowingly and voluntarily waived, and agreed to speak to agents without an attorney present. Defendant explained that she and her boyfriend were hired to pick up illegal aliens and drive them to San Antonio, Texas. Defendant said the pickup coordinates were sent to her boyfriend's phone. When they reached the coordinates, five illegal aliens emerged from the brush and got into the sedan.


Defendant started driving to San Antonio, and a short time later a BPA signaled for her to stop. Defendant said she fled because she was afraid and the illegal aliens told her to. Defendant's boyfriend also allegedly absconded because he is an illegal alien and did not want to be deported. Defendant expected to be paid between \$4,000-\$6,000 when they reached San Antonio.

In the illegal alien's post-*Miranda* statement, he explained that he paid money to an Alien Smuggling Organization for assistance in unlawfully entering the United States. The illegal alien was guided through the brush for several days until he reached the side of a road where the sedan picked him up. The brush guide instructed the illegal alien to climb into the trunk. While riding in the trunk, the illegal alien heard law enforcement sirens and was afraid the sedan would crash.

Defendant, Joanna Tellez, now accepts responsibility and admits that on February 25, 2022, she conspired to transport aliens within the United States, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), and in furtherance of such violation of law, and during and in relation to such transportation, Defendants' conduct placed in jeopardy the life of one or more persons, all in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I) and (B)(iii).

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

By: 

IZAAK P. BRUCE
Assistant United States Attorney

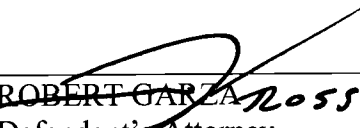
I have carefully read and reviewed the entirety of this Stipulation of Fact, or it has been read to me (and if necessary, translated for me) and reviewed with me by my attorney. After careful consideration and discussion with my attorney, and fully understanding my rights with respect to the pending criminal charge(s), I knowingly and voluntarily agree the above Stipulation of Facts is true and accurate, and had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Signed this 19th day of September, 2022.


JOANNA TELLEZ
Defendant

I am counsel for Defendant. I have fully explained to Defendant all of Defendant's rights with respect to the pending criminal charge(s). I have carefully reviewed this Stipulation of Fact in its entirety with Defendant and provided Defendant with my best professional advice. In my opinion, Defendant's decision to agree to this Stipulation of Fact made voluntarily, and with full knowledge of its obligations and consequences.

Signed this 19th day of September, 2022.


ROBERT GARZA
Defendant's Attorney

Adopted and approved this 19 day of SEPT, 2022.


THE HONORABLE COLLIS WHITE
United States Magistrate Judge